

REQUEST FOR FILING A PATENT APPLICATION UNDER 37 C.F.R. §1.53(b)
Attorney Docket: 029014.44732C1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

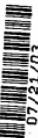
Mail Stop PATENT APPLICATION

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

1992 U.S. PRO
10/622770
07/22/03



Sir:

This is a request for filing a X continuation or divisional application under 37 C.F.R. 1.53(b), of pending prior application:

Serial No.: 09/834,832
Filed April 16, 2001
Of Philip Wong
Entitled: WRIST-BASED FITNESS MONITORING DEVICES
Examiner: Frances P. OROPEZA
Group 3762

X 1. Accompanying this order is a true copy of the prior application as originally filed.

Total pages 20

X 2. New Formal drawings are being filed herewith consisting of 7 sheet(s), depicting Figures 1-7.

X 3. Declaration and Power of Attorney:

a. Newly executed (original or copy)

b. X Copy from prior application

i. Deletion of Inventors - signed statement attached deleting inventor(s) named in the prior application

X 4. Incorporation by Reference:

The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 3b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

 5. Cancel original claims

6. Small entity status:

- a. A small entity statement is enclosed
- b. A statement of small entity status (copy attached) was filed on in the prior application and status as a small entity is still proper and desired.
- c. Is no longer claimed

7. The filing fee is calculated below:

Basic Fee				\$375		\$750		
Total Claims	8	20 =	0	x	9 =	\$	18 =	\$750.00
Ind. Claims	2	3 =	0	x	42 =	\$	84 =	\$
Multiple Dependent Claims				+	140 =	\$	280 =	\$
					Total	\$		\$750.00

THE FILING FEE IS BEING DEFERRED

- 8. Please charge my Deposit Account No. 05-1323 (Docket No.) in the amount of \$.
- 9. A check in the amount of \$ to cover the filing fee is enclosed.
- 10. The Commissioner is authorized to charge any fee which may be required under 37 CFR 1.16 or 37 CFR 1.17 or credit any overpayment to Deposit Account No. 05-1323 (Docket 029014.44732US).
- 11. Amend the specification by inserting before the first line the sentence: --This application is a continuation/division of application Serial No. 09/843,892, filed April 16, 2001..
- 12. Priority of Appln. No(s). , filed in on , is hereby claimed under 35 U.S.C. 119.
- 13. A certified copy of each said priority document was filed in application Serial No. on .
- 14. The prior application is assigned of record to Acumen, Inc.
- 15. The power of attorney in the prior application is to:

Herbert I. Cantor, Reg. No. 24,392; James F. McKeown, Reg. No. 25,406; Donald D. Evenson, Reg. No. 26,160; Joseph D. Evans, Reg.

No. 26,269; Gary R. Edwards, Reg. No. 31,824; and Jeffrey D. Sanok, Reg. No. 32,169.

- a. The power appears in the original application papers in the prior application.
- b. Since the power does not appear in the original application papers, a copy of the power in the prior application is enclosed.
- c. Attached is a duplicate of a Supplemental Declaration which was filed in the prior application to overcome informalities.
- d. Address all future correspondence to:

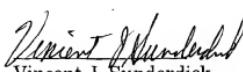
CROWELL & MORING, LLP
Intellectual Property Group
P.O. Box 14300
Washington, DC 20044-4300



- 16. Forms PTO-892 and PTO-1449 listing prior art made of record in the prior application are attached. A copy of each of the listed references should be available in the prior application file.
- 17. A Preliminary Amendment is being filed herewith.
- 18. Return Receipt Postcard.
- 19. Other: Two Month Extension of Time

Respectfully submitted,

Date: July 21, 2003



Vincent J. Sunderdick
Registration No. 29,004

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VJS/lw

CAM No.: 029014.4473250